

REMARKS/ARGUMENTS

Claims

The Examiner has rejected claims 1-19. By this amendment independent claims 1 and 11 have been amended. Therefore, claims 1-19 remain pending in the application. Please note that, for the purposes of the present amendment and further to the summary page of the Advisory Action, the Applicants have treated the amendments submitted in the previous response filed 14 July 2004 as already entered.

Claims Rejections – 35 U.S.C. § 112

The Applicants appreciate the Examiner's statement in the Advisory Action that the rejection under 35 USC 112, first paragraph, is withdrawn.

Claims Rejections – 35 U.S.C. § 102

Claims 1-19 were rejected under 35 U.S.C. § 102(b) as being anticipated by Montlick (US 5,561,446). The Examiner maintained the rejection in the Advisory Action. The rejection is respectfully traversed.

First, in the Advisory Action the Examiner appears to make obviousness arguments concerning the differences between the present claims and Montlick. Nevertheless the rejection under 35 USC 102(b) was maintained, which rejects the claims as anticipated by Montlick. The Examiner appears to have intended to reject the present claims on obviousness grounds under 35 USC 103(a).

The Examiner recited from Montlick examples of the widespread use of paper forms and pens for the initial collection of information, which information is then later typed into a computer. In particular the Examiner quoted Montlick's statement that "The computer is therefore not nearly as convenient as holding a clipboard or note pad in one hand and a pen in the other whereby notes may be made quickly and easily." (Col. 1, lines 57-60). This statement confirms the critical and commercially valuable distinction between the disclosure of Montlick and the present claims. Namely, Montlick still requires portable pen based computers (12, 14, 16) on which notes are written using a stylus (12b). The present invention on the other hand uses a pen-shaped "sensing device" to read data from a paper registration form—thus no "portable pen based computer" is required.

To further clarify the above distinction between Montlick and the present invention, the claims have been amended to state that the coded data is in the form of a plurality of tags printed on the paper registration form. Support for the present amendments is found in the specification as originally filed at page 14, lines 21-29, wherein the "sensing device" of the claims is referred to as a "netpage pen": "*Each reference to the page description is encoded in a printed tag. The tag identifies the unique page on which it appears, and thereby indirectly identifies the page description. The tag also identifies its own position on the page.... Tags are printed in infrared-absorptive ink on any substrate which is infrared-reflective, such as ordinary paper.... A tag is sensed by an area image sensor in the netpage pen, and the tag data is transmitted to the netpage system via the nearest netpage printer.*" Examples of specific embodiments of the tags are also provided in FIGS. 5 and 6.

Montlick does not disclose or fairly suggest the claimed feature of providing a registration form printed on paper and including coded data in the form of a plurality of tags. The section of the Montlick document identified by the Examiner as anticipating the

Applicants' invention (column 2, lines 63-67 and column 2 lines 1-6) states that "a selected form is displayed on the screen of the pen-based computer which requests it and data is entered through the pen-based computer by handwriting on the position sensitive display which displays the form." Thus Montlick discloses an electronic form displayed on a computer screen, which is very different from the printed paper forms of the present invention. Because a printed paper registration form is not disclosed or suggested by Montlick, it is clear that Montlick does not anticipate the Applicants' claimed invention.

Further, the presently claimed invention is certainly not obvious in light of Montlick and ordinary paper documents, as nothing in Montlick teaches or suggests the use of replacing the pen-based computer of Montlick with coded paper forms.

It is respectfully submitted that all of the Examiner's rejections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,

Applicant:



PAUL LAPSTUN



KIA SILVERBROOK

C/o: Silverbrook Research Pty Ltd
393 Darling Street
Balmain NSW 2041, Australia

Email: kia.silverbrook@silverbrookresearch.com
Telephone: +612 9818 6633
Facsimile: +61 2 9555 7762